



Attorney's Docket No: 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No: 6,262,120

Issued: 07/17/2001

Name of Patentee: Richard B. Silverman, et al

Title of Invention: GABA AND L-GLUTAMIC ACID ANALOGS
FOR ANTISEIZURE TREATMENT

By Fax: 703.308.6916
Attn: Office of Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
FEB 23 2005
OFFICE OF PETITIONS

PETITION FOR CHANGE OF INVENTORSHIP

1. This petition under 37 CFR 1.182 is to delete the names of the following persons named as inventors and who are not the inventors of the invention now being claimed:

Lloyd C. Franklin
Denis M. Sobieray
Mark A. Schwindt
Po-Wai Yuen

2. Requests for deletion of named inventors have been made numerous times throughout the prosecution of the above-referenced patent.

3. Attached hereto are the following documents in support of this Petition:

a. REQUEST FOR CORRECTED FILING RECEIPT; copy of marked-up version of Filing Receipt; document with brief explanation regarding inventorship in support of Request for Corrected Filing Receipt; Copy of page 2 of an Office Action issued in the parent application USSN 08/899,918; TRANSMITTAL LETTER; DECLARATION AS TO INVENTORSHIP AND COMMON OWNERSHIP OF CLAIMS FILED IN APPLICATION – signed and dated: September 3, 1998; and AMENDMENT, PETITION AND FEE DELETING CORRECTLY NAMED PERSON(S) WHO ARE NOT INVENTOR(S) OF THE

INVENTION NOW BEING CLAIMED (37 C.F.R. 1.48(B)) – signed and dated: August 27, 1998, which was filed March 8, 1999, with the appropriate petition fee;

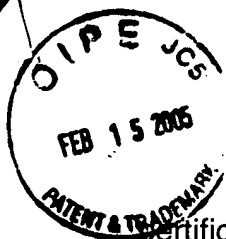
b. Copy of “CORRECTED” Filing Receipt, which was mailed May 21, 1999. On May 27, 1999, a phone call was made to Karen Smith at the United States Patent Office regarding error in the “CORRECTED” Filing Receipt, wherein the inventorship was not corrected. Our office was advised that the Filing Receipt would be corrected and a “CORRECTED” version would be faxed to our office;

c. AMENDMENT, PETITION AND FEE TO DELETE AND/OR ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN DECLARATION – NONPROVISIONAL APPLICATION- (37 C.F.R. 1.48(a); ASSENT OF ASSIGNEE TO CORRECTION AND/OR ADDITION OF INVENTOR(S); ASSENT OF ASSIGNEE TO CORRECTION AND/OR ADDITION OF INVENTOR(S); STATEMENT OF FACTS; ASSENT OF ASSIGNEE TO CORRECTION AND/OR ADDITION OF INVENTORS; ASSENT OF ASSIGNEE TO CORRECTION AND/OR ADDITION OF INVENTORS; STATEMENT OF FACTS, which was filed October 4, 2000, with the appropriate petition fee;

d. Page 2 of the Notice of Allowance dated April 2, 2001, indicating that in light of the documents filed October 4, 2000, the inventorship would be corrected by delete Po-Wai Yuen. However, the examiner failed to address the other documents filed requesting the deletion of the other three inventors, specifically, Lloyd C. Franklin, Denis M. Sobieray, and Mark A. Schwindt;

e. Issue Notification received July 2, 2001. The Issue Notification included the incorrectly identified the Applicants Lloyd C. Franklin, Denis M. Sobieray, Mark A. Schwindt, and Po-Wai Yuen; and

f. REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR PTO MISTAKE (37 C.F.R. 1.322(a)); CERTIFICATE OF CORRECTION.



In light of the above support reconsideration of the request for the issuance of a certificate of correction for the above-identified patent is respectfully requested and that a Certificate of Correction of Patent be issued.

Amy E. Rinaldo
Registration No. 45,791
30500 Northwestern Hwy
Suite 410
Farmington Hills, MI 48334
(248) 539-5050

Dated: February 15, 2005

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents via facsimile (703) 308-6916 on February 15, 2005.

Marie M. Lally

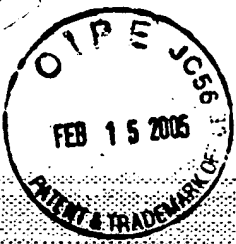
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" Mailing Label Number _____

Date of Deposit 2-15-05

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" Post Office To Address" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20591

(Signature of person mailing paper or fee)



The "Received" Stamp of the Patent
& Trademark Office imprinted hereon
acknowledges the filing of:

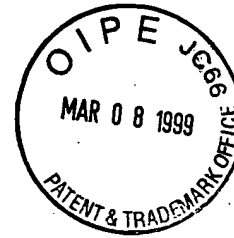
DESCRIPTION Request for Corrected Filing Receipt;
OF PAPER: supporting documentation

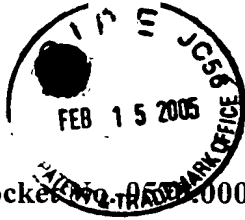
NAME OF
APPLICANT: Silverman et al.

INTF. OR
SERIAL NO: 09/243,997

DATE: 3/3/99 ATTY: KIK/cmm

OUR FILE # 0570.00077





Practitioner's Docket No. 050000077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
RICHARD B. SILVERMAN

Serial No.: 09/243,997

Group No.: 1614

Filed: February 4, 1999

Examiner: Unknown

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR
ANTISEIZURE TREATMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

FEB 23 2005

OFFICE OF PETITIONS

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

2. There is an error with respect to the following data, which is:

☒ incorrectly entered

and/or

☐ omitted.

Error in

Correct data

1. ☒ Applicant's name
2. ☐ Applicant's address
3. ☐ Title
4. ☐ Filing Date
5. ☐ Serial Number
6. ☐ Foreign/PCT Application Re:
7. ☒ Other

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
7. See attached sheet.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Constance McLean
Constance McLean

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

(Request for Corrected Filing Receipt [5-8] – page 1 of 2)

3. (complete the following applicable item)

A. ☒ The correction(s) is/are not due to any error by applicant and no fee is due.

OR

B. ☐ At least one of the above corrections is due to applicant's error and the fee therefor, under 37 C.F.R. 1.19(h), of \$25.00 is paid as follows:

- ☐ Enclosed is check for \$25.00.
☐ Charge Account _____ \$25.00.


Kenneth I. Kohn

Registration No. 30,955

Kohn & Associates

30500 Northwestern Hwy., Suite 410

Farmington Hills, MI 48334

(248) 539-5050

Customer No.: IDON304526

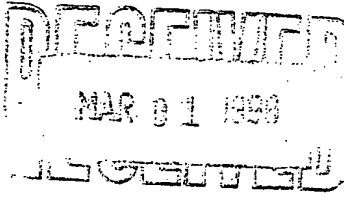
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/243,997	02/04/99	1614	\$760.00	0570.00077	0	8	3

KENNETH I KOHN
SUITE 410
30500 NORTHWESTERN HIGHWAY
FARMINGTON HILLS MI 48334



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

RICHARD B. SILVERMAN, MORTON GROVE, IL; RYSZARD
ANDRUSZKIEWICZ, SOPOT, POLAND; PO-WAI YUEN, ANN ARBOR, MI;
~~DENISE MARTIN, SOUTHERN, HOLLAND, MI; LLOYD CHARLES~~
~~FRANKLIN, HAMILTON, MI; MARK ALAN SCHWINDT, HOLLAND, MI~~

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A DIV OF 08/899,918 07/24/97
WHICH IS A DIV OF 08/420,905 04/11/95
WHICH IS A CON OF 08/064,285 05/18/93 ABN
WHICH IS A CIP OF 07/886,080 05/20/92 ABN
WHICH IS A CIP OF 07/618,692 11/27/90 ABN

FOREIGN FILING LICENSE GRANTED 02/22/99
TITLE
GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTISEIZURE TREATMENT

PRELIMINARY CLASS: 514

DATA ENTRY BY: SMITH, KAREN

TEAM: 04 DATE: 02/22/99

(see reverse)

The inventors in this application are:

Richard B. Silverman, Morton Grove, IL
Ryszard Andruszkiewicz, Sopot, Poland
Po-Wai Yuen, Ann Arbor, Michigan

The other three inventors of the parent case were deleted from the parent case. See attached Petition and Fee Deleting Correctly Named Persons Who Are Not Inventors of Invention Now Being Claimed as filed in the parent case, as well as page 2 of the Office Action mailed December 18, 1998 which reflects the deletion of these inventors by the Examiner.

Art Unit: 1621

DETAILED ACTION

Inventorship

In view of the papers filed September 8, 1998, the inventorship in this nonprovisional application has been changed by the deletion of

Lloyd C. Franklin,
Denis M. Sobieray, and
Mark A. Schwindt.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

Election/Restriction

The restriction requirement under 35 U.S.C. § 121 and applicants' traversal thereof have been carefully considered. Applicants urge that there is no undue burden to examine all of the inventions in single application in view of their common classification. First, the only consideration in the examination of an invention is not the search of the subclasses in the U. S. classification system. Although the Groups were classified by the Examiner in similar areas of the U. S. classification hierarchy for purposes of restriction and assignment, a prior art search of the two groups includes different areas of literature search. Furthermore, the classification given in the requirement does not reflect the fact that the claims read on a diversity of structurally distinct active agents. Examination

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SILVERMAN ET AL.

Serial No. 08/899,918

Group Art Unit: 1621

Filed: July 24, 1997

Examiner: M. Shippen

For: GABA ANDN L-GLUTAMIC ACID ANALOGS
FOR ANTISEIZURE TREATMENT

Attorney Docket No.: 0570.00067

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Transmitted herewith are the following:

1. Fully executed Declaration as to Inventorship and Common Ownership of Claims Filed in Application, which was inadvertently omitted when the Amendment, Petition and Fee Deleting Correctly Named Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed was filed on August 27, 1998;
2. A copy of the Amendment, Petition and Fee Deleting Correctly Named Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed which was

filed on August 27, 1998, as well as a copy of the postcard and check in payment of the
Petition Fee.

Respectfully submitted

KOHN & ASSOCIATES



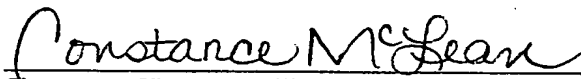
Kenneth I. Kohn, Reg. No. 30,955
30500 Northwestern Highway
Suite 410
Farmington Hills, Michigan 48334
(248) 539-5050

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States
Postal Service as First Class Mail in an envelope addressed to the Assistant
Commissioner for Patents, Washington, D.C. 20231 on September 3, 1998.

Constance McLean

Typed Name of Person Mailing Paper



Signature of Person Mailing Paper

Practitioner's Docket No. 0570.00067**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Silverman et al.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTISEIZURE TREATMENT
the specification of which:

(check and complete (a), (b) or (c))

- (a) ☐ is attached hereto.
- (b) ☒ was filed on 7/24/97 as Application Serial No. 08/899,918
and was amended on 8/19/98 (if applicable).
- (c) ☐ was described and claimed in International Application No. _____
filed on _____ and as amended on _____ (if any).

**DECLARATION AS TO INVENTORSHIP AND
COMMON OWNERSHIP OF CLAIMS FILED IN APPLICATION****1. Identification of Inventors of Different Claims**

- (a) The subject matter of claims(s) 38-51 was made by
inventor(s) Richard B. Silverman, Ryszard Andruszkiewicz,
Po-Wai Yuen
- (b) The subject matter of claims(s) _____ was made by
inventor(s) _____
- (c) The subject matter of claims(s) _____ was made by
inventor(s) _____

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner
for Patents, Washington, D.C. 20231
37 C.F.R. 1.8(a)
- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 9-3-98

Signature

Constance McLean
Constance McLean

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Declaration of Inventorship and Common Ownership of Claims in Application [6-9]—page 1 of 3)

**2. Statement as to Knowledge (or Lack of Knowledge)
by Later Inventor(s) of Subject Matter by Earlier Inventor(s)**

The last-made invention of this application is the subject matter of claim(s)

38-51, made by inventor(s) Richard B. Silverman, Ryszard Andruszkiewicz, Po-Wai Yuen

When the subject matter of the invention of claim(s) 38-51 was made,
inventor(s) Richard B. Silverman, Ryszard Andruszkiewicz,
Po-Wai Yuen

(check applicable item)

☒ knew

☐ did not know

of the earlier invention of the subject matter in the other claim(s) of this application.

(if more than two sets of inventors for claimed invention are listed in the application,
add a similar statement for each set of claimed inventors after the earlier)

3. Ownership of Invention of All Claims at the Time of Later Invention

At the time the later invention of claim(s) 38-51 was made, the invention
described in all the claims of the application was owned by Warner-Lambert Company

(if more than two sets of inventors for claimed invention are listed in the application,
add a similar statement for each set of claimed inventors after the earlier)

4. Identification of Person(s) Making this Statement

The person making this statement is:

(complete (a) or (b))

(a) ☐ the inventor

(b) ☒ the owner or a person authorized to sign on behalf of the owner on the basis
of

☒ an assignment

☒ recorded: Reel 7441 Frame 082-085

☐ unrecorded

☐ copy attached

☐ an agreement

☐ copy attached

☐ other _____

☐ supporting papers attached

(Declaration of Inventorship and Common Ownership of Claims in Application [6-9]—page 2 of 3)

5. Assignee Certification*(complete, if applicable)*

In accordance with 37 C.F.R. 3.73, the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature by inventor(s)

(type name of inventor)

Signature of inventor

(type name of inventor)

Signature of inventor

(type name of inventor)

Signature of inventor**Signature by owner**

Charles W. Ashbrook*(type name of person)*

Assistant General Counsel

Title



Signature

NOTE: A statement under 37 C.F.R. 3.73(b) is not required to be submitted when the assignee signs an affidavit or declaration of common ownership of two inventions. Notice of April 30, 1993, 1150 O.G. 62-64.

Practitioner's Docket No. 0570.00067**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Silverman et al.Serial No.: 08/899,918Group No.: 1621Filed: July 24, 1997Examiner: Shippen, M.For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTISEIZURE TREATMENTAssistant Commissioner for Patents
Washington, D.C. 20231**AMENDMENT, PETITION AND FEE DELETING CORRECTLY NAMED
PERSON(S) WHO ARE NOT INVENTOR(S) OF INVENTION NOW BEING
CLAIMED (37 C.F.R. § 1.48(b))**

NOTE: The correction of the inventorship can be made with respect to the inventors originally named or where the inventorship was corrected after filing under § 1.48(a) and, subsequent to that correction, prosecution of the application required additional correction under § 1.48(b). 62 Fed. Reg. 53,131, at 53,139 (Oct. 10, 1997).

1. This amendment and petition under 37 C.F.R. § 1.48(b) is to delete the name(s) of the following person(s) named as inventor(s) and who is (are) not the inventor(s) of the invention now being claimed: Lloyd C. Franklin

Denis M. SobierayMark A. Schwindt**2. Claim(s) Now on File**

The claim(s) in this application are as follows:

(check and complete all applicable items)

- ☐ originally filed claim(s) _____
- ☐ originally filed claim(s) _____
as amended on _____
- ☒ claim(s) 38-51 filed on 7/24/97
- ☐ claim(s) _____ filed on _____
as amended on _____

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 8-27-98

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Marjorie J. Buresh
Signature

Marjorie J. Buresh
(type or print name of person certifying)

(Amendment, Petition and Fee Deleting Correctly Named Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed (37 C.F.R. § 1.48(b)) [9-21]—page 1 of 2)

3. Status of Inventorship After Amendment

(check the following, item if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed)

- ☐ Attached is an explanation of the facts, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee (37 C.F.R. § 1.17(i))

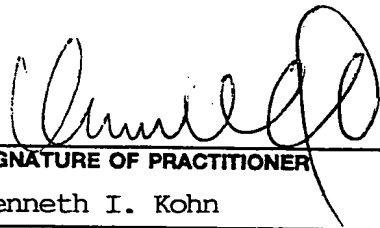
The fee required by is paid as follows:

- ☒ Enclosed is a check for \$130.00.
☒ Charge Account 11-1449 for any fee deficiency.
☐ Charge Account _____ the sum of \$130.00.

Reg. No.: 30,955

Tel. No.: (248) 539-5050

Customer No.: IDON304526


SIGNATURE OF PRACTITIONER
Kenneth I. Kohn
(type or print name of practitioner)
30500 Northwestern Hwy., Suite 410
P.O. Address
Farmington Hills, MI 48334

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(Amendment, Petition and Fee Deleting Correctly Named Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed (37 C.F.R. § 1.48(b)) [9-21]—page 2 of 2)

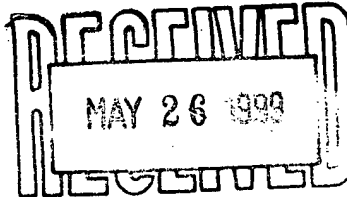
FILING RECEIPT
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TCT CL	IND CL
09/243,997	02/04/99	1614	\$1,228.00	0570.00077	0	8	3

KENNETH I KOHN
SUITE 410
30500 NORTHWESTERN HIGHWAY
FARMINGTON HILLS MI 48334



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

RICHARD B. SILVERMAN, MORTON GROVE, IL; RYSZARD
ANDRUSZKIEWICZ, Sopot, POLAND; PO-WAI YUEN, ANN ARBOR, MI;
DENIS MARTIN SOBIEAY, HOLLAND, MI; LLOYD CHARLES
FRANKLIN, HAMILTON, MI; MARK ALAN SCHWINDT, HOLLAND, MI.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A DIV OF 08/899,918 07/24/97
WHICH IS A DIV OF 08/420,905 04/11/95
WHICH IS A CON OF 08/064,285 05/18/93 ABN
WHICH IS A CIP OF 07/886,080 05/20/92 ABN
WHICH IS A CIP OF 07/618,692 11/27/90 ABN

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 02/22/99

TITLE

GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTISEIZURE TREATMENT

PRELIMINARY CLASS: 514

*Called Karen Smith
at PTO - This filing
receipt was not corrected
properly. She'll
correct it & fax it to
me CM*

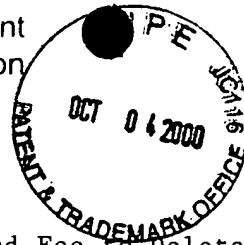
*5/27/99 703-
3089482*

DATA ENTRY BY: SMITH, KAREN

TEAM: 04 DATE: 05/21/99



This "Received" Stamp of the Patent
& Trademark Office imprinted hereon
acknowledges the filing of:



DESCRIPTION
OF PAPER: Amendment, Petition and Fee to Delete Inventors;
Assent of Assignee to Correction; \$130.00

NAME OF
APPLICANT: Silverman, et al
OUR FILE #: 0570.00077

INTF. OR
SERIAL NO.: 09/243,997

DATE: 9/28/00 ATTY: KIK

Practitioner's Docket No. 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard B. Silverman, et al

Application No.: 09 / 243,997 Group No.: 1621

Filed: 02/04/99

Examiner: Shippen, M.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTI-SEIZURE TREATMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

AMENDMENT, PETITION AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN DECLARATION—NONPROVISIONAL APPLICATION—
(37 C.F.R. § 1.48(a))

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in an application, other than a reissue application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f) states: "If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship.

"(2) If the correct inventor or inventors are not named on filing a provisional application without a cover sheet under § 1.51(c)(1), the later submission of a cover sheet under § 1.51(c)(1) during the pendency of the application will act to correct the earlier identification of inventorship."

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on 2/4/99 (Date).
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

☐ Add the following previously unnamed person(s) as inventor(s) of this application:

☒ Delete the following previously incorrectly named inventor(s) _____
Po-Wai Yuen

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.3(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

XX deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 9/28/00

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Connie Herty

(type or print name of person certifying)

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named or Not Named inventor(s) in Declaration (37 C.F.R. § 1.48(a)) [9-22]-page 1 of 2)

3. Attachments

Attached is

(a) A statement from:

(check items below that apply)

- ☐ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- ☒ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).
- (c) written assent of the assignee (if any of the original inventors executed an assignment) 37 C.F.R. 1.48(a)(4)
- (d)

(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)

- ☒ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required is paid as follows:

- ☒ Enclosed is a check for \$130.00.
- ☐ Charge Account _____ for any fee deficiency.
- ☐ Charge Account _____ the sum of \$130.00.

Reg. No.: 45,791

Tel. No.: (248) 539-5050

Customer No.:


SIGNATURE OF PRACTITIONER

AMY E. RINALDO

(type or print name of practitioner)

30500 Northwestern Highway, Suite 410
P.O. Address

Farmington Hills, MI 48334

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named Inventor(s) in Declaration
(37 C.F.R. § 1.48(a) [9-22]—page 2 of 2)

Practitioner's Docket No. 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard B. Silverman, et al

Application No.: 09 / 243,997 Group No.: 1621

Filed: 02/04/99

Examiner: Shippen, M.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTI-SEIZURE TREATMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

NORTHWESTERN UNIVERSITY

(type or print name of assignee)

1801 Maple Avenue, Evanston, Illinois 60201-3135

Address

Assignment

☒ recorded on 3/12/99

Reel 9815

Frame 0579

☐ recorded herewith

☐ A separate ☐ "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☒ herewith.

☐ on _____

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.3(a))

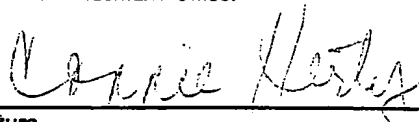
I hereby certify that this correspondence is, on the date shown below, being:

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FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.



Signature

Connie Herty

(type or print name of person certifying)

Date: 9/28/00

ASSIGNEE STATEMENT

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

Indrani Mukharji

Signature

Indrani Mukharji, Director

(type or print name and title of person authorized to sign
on behalf of assignee)

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)

Practitioner's Docket No. 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard B. Silverman, et al

Application No.: 09 /243,997 Group No.: 1621

Filed: 02/04/99 Examiner: Shippen, M.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTI-SEIZURE TREATMENT

Assistant Commissioner for Patents
Washington, D.C. 20231ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)

WARNER-LAMBERT COMPANY

(type or print name of assignee)

2800 Plymouth Road, Ann Arbor, MI 48105

Address

Assignment

☒ recorded on 3/12/99Reel 9815Frame 0579☐ recorded herewith☐ A separate ☐ "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☒ herewith.☐ on _____

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.2(a))

I hereby certify that this correspondence is, on the date shown below, being:

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FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Connie Herty

(type or print name of person certifying)

Date: 9/28/00

ASSIGNEE STATEMENT

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.



Signature

Charles W. Ashbrook, Assistant General Counsel

*(type or print name and title of person authorized to sign
on behalf of assignee)*

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SILVERMAN ET AL.

Serial No.: 09/243,997

Group Art Unit: 1621

Filed: February 4, 1999

Examiner: M. Shippen

For: GABA AND L-GLUTAMIC ACID ANALOGS
FOR ANTI-SEIZURE TREATMENT

Attorney Docket No.: 0570.00077

STATEMENT OF FACTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Richard B. Silverman and Ryszard Andruszkiewicz, are the originally-named inventors of the above-captioned patent application.

2. Without deceptive intent, on or about August of 2000, it was discovered that Po-Wai Yuen, was erroneously included as an inventor of the above-captioned patent application.

3. Upon discovering the inadvertent error of including this inventor in the claimed invention, the representative assignee of the application was immediately contacted and the decision was reached to amend the application by deleting the erroneously-named inventor. Accordingly, there was no deceptive intent in initially listing Po-Wai Yuen, as an inventor, and Applicant has worked diligently to amend the application.

4. The undersigned state further all statements made herein of their own knowledge are true and that all statements made on information and

belief are believed to be true; and, further, that the statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

8/9/00

Richard B. Silverman

Date:

7/4/00

Ryszard Andruskiewicz

Date:

9/19/00

Po-Wai Yuen

Practitioner's Docket No. 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard B. Silverman, et al

Application No.: 09 /243,997 Group No.: 1621

Filed: 02/04/99 Examiner: Shippen, M.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTI-SEIZURE TREATMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

WARNER-LAMBERT COMPANY

(type or print name of assignee)

2800 Plymouth Road, Ann Arbor, MI 48105

Address

Assignment

☒ recorded on 3/12/99

Reel 9815

Frame 0579

☐ recorded herewith

☐ A separate ☐ "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☐ herewith.

☐ on _____

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.2(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

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FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: _____

(type or print name of person certifying)

ASSIGNEE STATEMENT

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

Signature

Charles W. Ashbrook, Assistant General Counsel

(type or print name and title of person authorized to sign
on behalf of assignee)

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)

Practitioner's Docket No. 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard B. Silverman, et al

Application No.: 09 / 243,997 Group No.: 1621

Filed: 02/04/99 Examiner: Shippen, M.

For: GABA AND L-GLUTAMIC ACID ANALOGS FOR ANTI-SEIZURE TREATMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

NORTHWESTERN UNIVERSITY

(type or print name of assignee)

1801 Maple Avenue, Evanston, Illinois 60201-3135

Address

Assignment

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Frame 0579

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or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☐ herewith.

☐ on _____

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: _____

(type or print name of person certifying)

ASSIGNEE STATEMENT

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

Signature

Indrani Mukharji, Director

*(type or print name and title of person authorized to sign
on behalf of assignee)*

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SILVERMAN ET AL.

Serial No.: 09/243,997

Group Art Unit: 1621

Filed: February 4, 1999

Examiner: M. Shippen

For: GABA AND L-GLUTAMIC ACID ANALOGS
FOR ANTI-SEIZURE TREATMENT

Attorney Docket No.: 0570.00077

STATEMENT OF FACTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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2. Without deceptive intent, on or about August of 2000, it was discovered that Po-Wai Yuen, was erroneously included as an inventor of the above-captioned patent application.

3. Upon discovering the inadvertent error of including this inventor in the claimed invention, the representative assignee of the application was immediately contacted and the decision was reached to amend the application by deleting the erroneously-named inventor. Accordingly, there was no deceptive intent in initially listing Po-Wai Yuen, as an inventor, and Applicant has worked diligently to amend the application.

4. The undersigned state further all statements made herein of their own knowledge are true and that all statements made on information and

belief are believed to be true; and, further, that the statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

Richard B. Silverman

Date: _____

Ryszard Andruskiewicz

Date: _____

Po-Wai Yuen

Art Unit: 1621

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 1 before the first line,

--This application is a Division of Ser. No. 08/899,918, filed July 24, 1997, now abandoned, which is a Division of Ser. No. 08/420,905, filed April 11, 1995, now U. S. Patent No. 6,197,819, which is a Continuation of Ser. No. 08/064,285, filed May 18, 1993, now abandoned, which is a Continuation-In-Part of Ser. No. 07/886,080, filed May 20, 1992, now abandoned, which is a Continuation-In-Part of Ser. No. 07/618,692, filed November 27, 1990, now abandoned.--

has been inserted.

Inventorship

In view of the papers filed October 4, 2000, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by deleting Po-Wai Yeun.

ISSUE NOTIFICATION

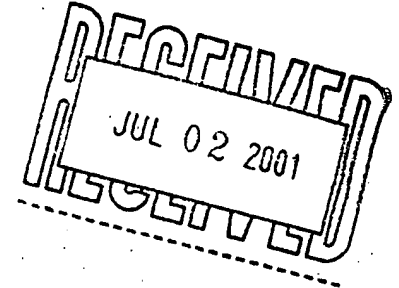


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	PATENT NUMBER	ISSUE DATE	ATTORNEY DOCKET NO.
09/243,997	6262120	07/17/01	0570.00077

2120
KENNETH I KOHN
SUITE 410
30500 NORTHWESTERN HIGHWAY
FARMINGTON HILLS MI 48334

7707



APPLICANT(S) RICHARD B. SILVERMAN, MORTON GROVE ILLINOIS;
RYSZARD ANDRUSZKIEWICZ, SOPOT POLAND; PO-WAI YUEN,
ANN ARBOR MICHIGAN; DENIS MARTIN SOBIERAY, HOLLAND
MICHIGAN; LLOYD CHARLES FRANKLIN, HAMILTON MICHIGAN
MARK ALAN SCHWINDT, HOLLAND MICHIGAN ;

RECEIVED IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Date 12/30/04 Attorney AER/mm1 Docket No. 0570.000 77
 USSN 6,262,120 Applicant Silverman, et al.
 Express Mail No. _____

____ Specification _____ pages
 ____ Claims _____ pages
 ____ Abstract _____ pages
 ____ Drawings _____ sheets
 ____ formal _____ informal
 ____ Dec/POA _____ signed _____ unsigned
 ____ Letter of Transmittal _____ entity
 ____ USPS Certificate of Mailing
 ____ Disclosure Statement _____ references
 ____ Issue Fee Transmittal
 ____ Affidavit _____ pages
 ____ Notice of Appeal
 ____ Amendment _____ pages
 ____ Response _____ pages
 ____ Brief _____ pages _____ copies
 ____ Petition for _____ Extension of Time
 ____ Assignment & Recordation Cover Sheet
 ____ PTO-1390 (DO/EO/US) _____ pages

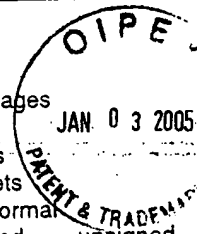
Check No. _____ \$ _____
 ____ Fee Transmittal Sheet
 ____ Response to Invitation to Correct Defects
 ____ Response to Notice / Missing Parts
 ____ Sequence Listing _____ pages & Diskette
 ____ Request for Corrected Filing Receipt
 ____ Status Inquiry _____
 ____ PCT Request
 ____ Petition
Request for Certificate of Correction
of Patent for PTO Mistake
Certificate of Correction (2)

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RECEIVED IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Date 12/30/04 Attorney AER/mm1 Docket No. 0570.000 77
 USSN 6,262,120 Applicant Silverman, et al.
 Express Mail No. _____

____ Specification _____ pages
 ____ Claims _____ pages
 ____ Abstract _____ pages
 ____ Drawings _____ sheets
 ____ formal _____ informal
 ____ Dec/POA _____ signed _____ unsigned
 ____ Letter of Transmittal _____ entity
 ____ USPS Certificate of Mailing
 ____ Disclosure Statement _____ references
 ____ Issue Fee Transmittal
 ____ Affidavit _____ pages
 ____ Notice of Appeal
 ____ Amendment _____ pages
 ____ Response _____ pages
 ____ Brief _____ pages _____ copies
 ____ Petition for _____ Extension of Time
 ____ Assignment & Recordation Cover Sheet



Check No. _____ \$ _____
 ____ Fee Transmittal Sheet
 ____ Response to Invitation to Correct Defects
 ____ Response to Notice / Missing Parts
 ____ Sequence Listing _____ pages & Diskette
 ____ Request for Corrected Filing Receipt
 ____ Status Inquiry _____
 ____ PCT Request
 ____ Petition
Request for Certificate of Correction
of Patent for PTO Mistake
Certificate of Correction (2)

Attorney's Docket No: 0570.00077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No: 6,262,120

Issued: 07/17/2001

Name of Patentee: Richard B. Silverman, et al

Title of Invention: GABA AND L-GLUTAMIC ACID ANALOGS
FOR ANTISEIZURE TREATMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. § 1.322(a))**

1. Attached, in duplicate, is PTO/SB/44 (also Form PTO-1050), with at least one copy being suitable for printing.

NOTE: Form PTO-1050 (or PTO/SB/44), using the column and line number in the printed patent, should be used exclusively regardless of the length of complexity of the subject matter. M.P.E.P. § 1485, 7th ed.

NOTE: The patent grant should be retained by the patentee. The PTO does not attach the certificate of correction to the patentee's copy of the patent. The patent grant will be returned to the patentee if submitted. M.P.E.P. § 1485, 7th ed.

2. The exact page and line number of where the errors are shown correctly in the application file are: **Page 1, line 75.**

Information regarding the government grant should be included in the patent grant on the title page.

NOTE: This information should be identified in this request, however, on Form PTO-1050, only the column and line number in the printed patent should be used. M.P.E.P. § 1485, 7th ed.

3. Please send the Certificate to:

Name: Amy E. Rinaldo


Address: Kohn & Associates, PLLC, 30500 Northwestern Hwy., Suite 410,
Farmington Hills, Michigan 48334

(complete, if applicable)

Signature(s) of patentee(s)

or

Northwestern University
Warner-Lambert Company
(type or print name of assignee)



Signature of assignee or person
authorized to sign on behalf of assignee

* Assignment recorded on

03/12/1999

Amy E. Rinaldo
(type or print name of authorized person signing)

Reel 9815
Frame 0579

Attorney
Title of authorized person signing

* Recordal of assignment attached

* Attached is a "STATEMENT UNDER 37 CFR 3.73(b)," establishing
the right of the assignee to take action in this case.

NOTE: "A certificate of correction, under 35 U.S.C. 254, may be used at the request of the
patentee or [the patentee's] assignee." 37 C.F.R. § 1.322(a). The certificate of correction
can be signed by the attorney of record who acts on behalf of the inventor(s) or
assignee(s)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO: 6,262,120

DATED: 07/17/2001

INVENTOR(S): Richard B. Silverman, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

[75] Inventors: **Richard B. Silverman**, Morton Grove, IL; **Ryszard Andruszkiewicz**, Sopot, Poland

MAILING ADDRESS OF SENDER:

PATENT NO. 6,262,120

Amy E. Rinaldo
Kohn & Associates, PLLC
30500 Northwestern Hwy., Suite 410
Farmington Hills, Michigan 48334

No. of additional copies 0

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.